REMARKS

Summary of the Office Action

Claims 1, 10-12, 15 and 20-22 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Christopher et al.* (U.S. Patent No. 6,058,013) in view of *Kamioka* (JP 04-113695).

Claims 6, 7, 13 and 19 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Christopher et al.* in view of *Kamioka* and further in view of *Miyagi et al.* (U.S. Patent No. 5,506,755).

Claims 16-18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Christopher et al.* in view of *Kamioka*.

Summary of the Response to the Office Action

Applicant respectfully submits that the rejections under 35 U.S.C. §103(a) are improper and therefore should be withdrawn. Accordingly, claims 1, 6, 7, 10-13 and 15-22 remain pending.

In addition, a translation of *Kamioka* is presented herewith for the Examiner's convenience.

The Rejections under 35 U.S.C. 103(a)

Claims 1, 10-12, 15 and 20-22 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Christopher et al.* in view of *Kamioka*. Claims 6, 7, 13 and 19 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Christopher et al.* in view of

Kamioka and further in view of *Miyagi et al.* Claims 16-18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Christopher et al.* in view of *Kamioka*. The rejections are respectfully traversed for the following reasons.

With respect to independent claims 1 and 15, Applicant respectfully submits that the Final Office Action has not established a *prima facie* case of obviousness.

The Final Office Action admits that *Christopher et al.* does not disclose a second heat radiating pattern having a larger area than that of the first heat radiating pattern. Nonetheless, the Final Office Action alleges that the element 12 of *Kamioka* is such a heat radiating pattern, thereby remedying the deficiency of *Christopher et al.* In the previous Request for Reconsideration filed on January 3, 2003, Applicant argued that unlike the present invention, *Kamioka* discloses the element 12 as a silicon insulation sheet which is used for insulating a heating device 8 from a heat sink 3 and providing a good contact status. In response, at page 4 of the Final Office Action, it is asserted that Applicant's arguments filed January 3, 2003 are not persuasive because the functional purpose of the element 12 is allegedly "to transfer heat from the device 8 to the heat sink 3." Applicant respectfully disagrees.

As evidenced by the attached translation of *Kamioka,* where description from line 7 to line 18 of page 6 discloses the use of the inner surfaces of the throughholes 6 directly connecting to the frame (which is referred to as "heat sink" by the Office Action) 3 in order to enhance the heat radiation of the device 8, and further Fig. 3 and description from line 19 of page 6 to line 1 of page 7 disclose the element 12 as a rubber-made insulating sheet but never explicitly or implicitly give the teaching or suggestion of heat dissipatability about the rubber-made insulating

sheet as Applicant have already asserted in the previous response filed on January 3, 2003. Accordingly, Applicant respectfully asserts that *Kamioka* neither teaches nor suggests a functional purpose of the element 12 for transferring heat from the device 8 to the heat sink 3, as alleged by the Final Office Action. Instead, *Kamioka* describes the element 12 as an electrical insulator. Therefore, Applicant respectfully submits that the assertion of the Final Office Action is not supported by the disclosure of *Kamioka.* Thus, the Final Office Action has not established a *prima facie* case of obviousness, and the rejection should be withdrawn.

Applicant respectfully notes that MPEP § 2143 instructs that "[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art." Moreover, Applicant respectfully notes that MPEP § 2143.01 instructs that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills,* 916 F.2d 680, 16 USPQ 2d 1430 (Fed. Cir. 1990)." Absent any teaching or suggestion **in the prior art** to modify or combine the teachings of *Christopher et al.* with those of *Kamioka* to meet the claimed invention, the rejections under 35 U.S.C. § 103(a) are improper. Accordingly, Applicant respectfully submits that the rejections under 35 U.S.C. § 103(a) should be withdrawn.

With no other rejection pending, Applicant respectfully submits that claims 1, 6, 7, 10-13 and 15-22 are in condition for allowance.

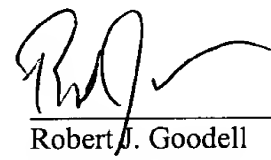
Conclusion

In view of the foregoing, Applicant requests the entry of this Request for Reconsideration to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Applicant also requests the Examiner's reconsideration and reexamination of the application and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.R.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Robert J. Goodell
Reg. No. 41,040

Dated: March 19, 2003

Customer No.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001